

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed November 24, 1999. The Examiner rejected Claims 1-9, 11-19 and 21-23 and objected to Claims 10, 20, 24 and 25. In order to advance prosecution of this case, Claims 10, 20, 23 and 24 have been amended and Claims 26-28 have been added. Thus, Claims 1-28 are now pending in this Application. Applicants respectfully request reconsideration and favorable action in this case.

Section 103 Rejections

The Examiner rejected Claims 1-6 and 11-14 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,974,398 issued to Hanson et al. (*Hanson*), in view of U. S. Patent 5,956,691 issued to Powers (*Powers*). Claims 7-9 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Hanson* in view of *Powers* and further in view of "Personallogic: Press Room, Product Showcases" (*Personallogic*). Claims 15-17 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Hanson*. Claims 18-19 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Hanson* and further in view of *Personallogic*. Claim 23 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Hanson*. Of these, Claims 1, 15 and 23 are independent. Applicants respectfully traverse these rejections for the reasons discussed below.

Independent Claim 1 recites the following elements, the most pertinent to this discussion being presented in bold type for the convenience of the Examiner:

providing the customer with customer questions;
receiving responses to the customer questions from the customer;
storing data associated with the responses in the survey system;
providing the customer with a feedback page, graphically illustrating data associated with the customer's standing in a selected peer group;
providing the customer with options operable to adjust the customer's actual demographic to a hypothetical demographic;
receiving and processing data associated with hypothetical demographic changes from the customer; and
displaying hypothetical feedback information, graphically illustrating the hypothetical standing of the customer within the selected peer group such that the customer can see the effect of the hypothetical demographic changes.

Applicants respectfully submit that neither *Hanson* nor *Powers* discloses, teaches, or suggests providing a feedback page that graphically illustrates data associated with the customer's standing in a selected peer group, providing options operable to adjust the customer's actual demographic to a hypothetical demographic, receiving and processing data associated with hypothetical demographic changes from the customer, or displaying hypothetical feedback information that graphically illustrates the hypothetical standing of the customer within the selected peer group, as recited by Claim 1.

Hanson is directed toward a system for allowing a user to choose to view certain advertisements in order to offset the cost of the user's service or usage charge. See Abstract. Advertisement bids are provided for selection by a user when the user's attributes match the attributes specified by the advertiser. As described in *Hanson*, an “[a]dvertiser workstation 120 also communicates to on-line service platform 100 a set of defined user attributes and characteristics, and weights applied to such attributes.” Col. 3, lines 50-52 (emphasis added). Figure 2 of *Hanson* “illustrates the kind of information an advertiser might supply . . .” Col. 6, lines 7-8 (emphasis added). Thus, *Hanson* teaches that advertisement bids are displayed for selection when the attributes of the user match the attributes specified by the advertiser. Col. 7, lines 22-27.

Hanson also discloses the use of a commercial consumer demographics database. According to *Hanson*, “[s]uch demographics databases are widely available and known and contain information about consumers that may be of interest to particular advertisers.” Col. 4, lines 10-13. Thus, there is no disclosure in *Hanson* regarding the procedure for identifying desirable attributes. Either an advertiser identifies attributes on its own, or the attributes are provided by a “widely available” demographics database.

In contrast, the present invention is directed toward a system for analyzing information obtained from customers in order to identify common characteristics of customers who are interested in specific products and services. Thus, the present invention allows a business to obtain information from customers so that the business may target its marketing efforts to customers who are more likely than the general population to purchase its products and services. As part of this system, customers are encouraged to provide data to the customer survey system by being given interesting and useful information in exchange for that data, such as relative and

hypothetical demographic information. Present Application, page 3, lines 16-24. Using the information obtained from previous customers, the present invention dynamically generates decision rules to predict the behavior of future customers. Thus, the business is not required to guess which attributes are desirable. Instead, the present invention identifies the attributes most likely to correspond to responsive customers and supplies this information to the business. Present Application, page 30, lines 12-23 and page 31, lines 3-21.

The passage of *Hanson* cited by the Examiner to show the claimed “providing the customer with options operable to adjust the customer's actual demographic to a hypothetical demographic” merely discloses that an “advertiser can adjust the value of the offer or bid which is used to entice the user to select the advertisement.” *Hanson*, col. 5, lines 64-67 (emphasis added). There is no disclosure in *Hanson* of a user changing his demographic information to hypothetical demographic information. If a user were to change his demographic information to hypothetical demographic information, the functionality of Hanson's system would be destroyed as advertisement bids would not be displayed to users that should receive the bids and would be displayed to users that should not receive them. Thus, *Hanson* cannot be modified in this way.

In addition, as conceded by the Examiner, *Hanson* fails to disclose the claimed “displaying hypothetical feedback information, graphically illustrating the hypothetical standing of the customer within the selected peer group such that the customer can see the effect of the hypothetical demographic changes.” Office Action, page 3. *Powers* does not provide this missing element.

Powers is directed toward a system for “computing and graphically displaying the future values of a model life insurance policy.” *Powers*, Abstract. According to *Powers*, the “objects of the instant invention are achieved by providing an apparatus for dynamically displaying future values of a life insurance policy data in graphical format.” Col. 3, lines 56-59.

The Examiner incorrectly cited Figure 3 of *Powers* to show the claimed “displaying hypothetical feedback information, graphically illustrating the hypothetical standing of the customer within the selected peer group such that the customer can see the effect of the hypothetical demographic changes.” However, Figure 3 merely depicts the death benefit, the cash value, the cumulative premiums and the annual premiums for a life insurance policy.

Col. 7, lines 6-11. The insurance policy data provided by Powers fails to include any information regarding a user's hypothetical standing within a peer group. Thus, there is no disclosure in Powers of hypothetical feedback information that graphically illustrates the hypothetical standing of a customer within a peer group, as recited by Claim 1.

Additionally, neither *Hanson* nor *Powers* discloses, teaches or suggests the claimed “providing the customer with a feedback page, graphically illustrating data associated with the customer's standing in a selected peer group.” The Examiner has cited no disclosure that includes this element. Accordingly, for all these reasons, Claim 1 is not made obvious by the cited art. Therefore, Applicants respectfully submit that this rejection should now be withdrawn.

Similarly, independent Claim 15 recites a survey system operable to supply the customer data processing system with customer questions, receive and store responses, provide a feedback page, provide what-if options, receive hypothetical demographic changes, and display hypothetical feedback information. Accordingly, for the reasons discussed above in connection with Claim 1, Claim 15 is also not made obvious by the cited art. Therefore, Applicants respectfully submit that this rejection should now be withdrawn.

Dependent Claims 2-14 that depend from Claim 1 and dependent Claims 16-22 that depend from Claim 15 are also not made obvious by the cited art because they include the limitations of their respective base claims and add additional elements that further distinguish the art. Therefore, Applicants respectfully submit that these rejections should now be withdrawn.

Presently, independent Claim 23 is amended to recite “the targeted marketing reports dynamically generated based on a set of decision rules, the set of decision rules dynamically generated based on data received from the customers,” as described in the present Application in connection with FIGURE 6a. Present Application, page 29, line 19 - page 30, line 23. Applicants respectfully submit that no new matter is added by this amendment.

Independent Claim 23, as amended, recites the following elements, the most pertinent to this discussion being presented in bold type for the convenience of the Examiner:

a business interface operable to interact with a data processing system associated with a business;

a customer interface operable to interact with a data processing system associated with a customer; and

a survey system operable to supply the business data processing system with targeted marketing reports, the targeted marketing reports dynamically generated based on a set of decision rules, the set of decision rules dynamically generated based on data received from the customers.

Applicants respectfully submit that *Hanson* fails to disclose, teach, or suggest targeted marketing reports dynamically generated based on a set of decision rules that is dynamically generated based on data received from the customers, as recited by amended Claim 23. As conceded by the Examiner, *Hanson* fails to disclose a survey system operable to supply a business data processing system with targeted marketing reports. Office Action, page 13. The Examiner has, therefore, cited no disclosure of a survey system operable to supply targeted marketing reports that are dynamically generated based on a set of decision rules which are in turn dynamically generated based on data received from the customers. Accordingly, Claim 23 is not made obvious by the cited art. Therefore, Applicants respectfully submit that this rejection should now be withdrawn.

New Claims

Claims 26-28 are added to more fully claim the present invention. In particular, Claim 26 depends from Claim 13 and further provides for receiving goal input data from and storing goal input data for the customer. Claim 27 depends from Claim 15 and further includes the survey system operable to provide goal planners to the customer and to receive goal input data from and store goal input data for the customer. Claim 28 depends from Claim 15 and further includes the survey system operable to generate targeted advertisements for each customer based on data received from the customers. Applicants respectfully submit that no new matter is added by these claims.

Applicants respectfully submit that dependent Claims 26-28 are allowable because they include the limitations of their respective base claims and add additional elements that further distinguish the art.

A

Allowable Subject Matter

The Examiner objected to Claims 10, 20, 24 and 25 as being dependent upon a rejected base claim, but indicated that they would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 10, 20 and 24 are presently amended in accordance with the requirements of the Examiner. Specifically, Claim 10 is rewritten in independent form to include the limitations of base Claim 1. Claim 20 is rewritten in independent form to include the limitations of base Claim 15. Claim 24 is rewritten in independent form to include the limitations of base Claim 23 as originally filed. Claim 25 is not amended, as it depends from Claim 24 which has been amended to include the relevant limitations. Accordingly, Applicants respectfully submit that Claims 10, 20, 24 and 25 are now in condition for allowance.

CONCLUSION

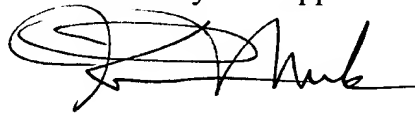
Applicants have now made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending Claims. If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the undersigned attorney for Applicants stands ready to conduct such a conference at the convenience of the Examiner.

A check in the amount of \$144.00 is enclosed herewith to cover the fee for three additional independent claims and for three additional dependent claims.

No further additional fees are believed due in connection with this Amendment. However, should any fees be due the Commissioner is hereby authorized to charge said fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicants



Kevin J. Meek
Reg. No. 33,738

2001 Ross Avenue
Dallas, Texas 75201-2980
(214) 953-6680
Date: 2/22/00

